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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,977	12/19/2001	David Reyna	40101/03301	9135

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EXAMINER
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FOWLKES, ANDRE R

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2100

## Office Action Summary

Application No.

10/033,977

Applicant(s)

REYNA, DAVID

Examiner

Andre R. Fowlkes

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-25 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Sonderegger, U.S. Patent no. 5,761,499.

As per claim 1, Sonderegger discloses a method of sharing resources between interconnected software components through hierarchically related backplane elements, (col. 7:31-33, "the present invention relates to a method and apparatus for managing (and sharing) software components (i.e. resources) in a computer network (i.e. hierarchically related backplane elements)"), comprising:

- providing a resource database for each of the hierarchically related backplane elements (col. 6:36-38, "a database which associates software component (resource) identifiers with software component locators"),
- the resource database being configured to correlate requests for the resources with access information to the resources (col. 2:14-17, "the registry file

Art Unit: 2122

maps software component identifiers ... to the file system location of the identified (resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)" ),

- receiving in each of the backplane elements registrations for at least a portion of the software components (col. 2:14-17, "the registry file (registrations for the software components) maps software component identifiers ... to the file system location of the identified (resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)", and col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network " ),

- registering descendant backplane elements with corresponding parent backplane elements (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another),

- registering parent backplane elements with corresponding descendant backplane elements (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another),

- providing in the resource database of each of the backplane elements an identifier of each of the resources, the identifier specifying access information to the resource (col. 2:14-17, "the registry file (registrations for the software components) maps software component identifiers ... to the file system location of the identified

Art Unit: 2122

(resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)", and col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network " ),

As per claim 2, the rejection of claim 1 is incorporated, and further Sonderegger discloses that **registering each of the descendant backplane elements as a producer with the corresponding parent backplane element** (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another and the information in the registry file indicates if software components, that are available in the backplane elements, are producers, consumers or both).

As per claim 3, the rejection of claim 1 is incorporated, and further Sonderegger discloses that **registering a portion of the software components with each of the backplane elements as at least one of a producer and a consumer** (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another and the information in the registry file indicates if software components, that are available in the backplane elements, are producers, consumers or both).

As per claim 4, the rejection of claim 3 is incorporated, and further Sonderegger discloses that registering each of the software components and each of the descendant backplane elements as at least one of a data consumer, data producer, event consumer and event producer (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another and the information in the registry file indicates if software components, that are available in the backplane elements, are event/data producers, consumers or both).

As per claim 5, the rejection of claim 1 is incorporated, and further Sonderegger discloses that registering each of the parent backplane elements with the corresponding descendant backplane elements as a consumer (col. 2:30-33, "the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network", and in a network, all of the elements are registered with one another and the information in the registry file indicates if software components, that are available in the backplane elements, are producers, consumers or both).

Art Unit: 2122

As per claim 6, the rejection of claim 1 is incorporated, and further Sonderegger discloses that providing the identifier for a resource owned by a software component comprises:

- determining a name of the backplane element to which the software component is registered (col. 2:14-17, "the registry file maps software component identifiers ... to the file system location (i.e. the name of the backplane element) of the identified (resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)"),

- determining a descendance chain of the backplane element (col. 2:14-17, "the registry file maps software component identifiers ... to the file system location (i.e. the descendance chain (location) of the backplane element, ) of the identified (resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)"),

- determining a name of the software component that owns the resource (col. 2:14-17, "the registry file maps software component identifiers ... to the file system location (i.e. the name of the backplane element) of the identified (resource) ... and to the ... information about that (resources) ... interface (i.e. access information to the resource)"),

- determining a name of the resource (col. 2:14-17, "the registry file maps software component identifiers (i.e. name of the resource) ... to the file system location (i.e. the name of the backplane element) of the identified (resource) ... and to the ...

Art Unit: 2122

information about that (resources) ... interface (i.e. access information to the resource)”),

**- creating the resource identifier as a sequence of at least one of the descendance chain, backplane element name, software component name and resource name** (col. 6:56-57, “the registry file is updated to include the (name and location of the selected component”).

As per claim 7, the rejection of claim 1 is incorporated, and further Sonderegger discloses that **the step of registering the descendant backplane elements further comprises listing a name of the descendant backplane element as a producer in a component list of the parent backplane, and providing a mapping to the descendant backplane in the resource database of the parent backplane** (col. 2:30-33, “the information in a registry file may be made available to several computers (i.e. backplane elements) which are connected to the ... network”, and in a network, all of the elements are registered with one another and the information in the registry file indicates if software components, that are available in the backplane elements, are producers, consumers or both).

As per claim 8, the rejection of claim 6 is incorporated, and further Sonderegger discloses that **creating the identifier including a blank backplane element name when the backplane element is a default backplane element, and creating the identifier with a blank descendance chain when the descendance chain is a**



Art Unit: 2122

default descendance chain (col. 6:14-17, "Under the present invention, however, the repository expands to include not only previously registered components (i.e. backplane elements) but also unregistered components that are identified in an arbitrarily large database", and col. 6:48-57, "If any matches are found during the database search, one or more of the software components (i.e. backplane elements) identified by the search are selected. (a default blank element identifier is created until) The location of the selected software component is extracted from the database ... Finally, the registry file is updated to include the location of the selected component").

As per claim 9, the rejection of claim 8 is incorporated, and further Sonderegger discloses that the default backplane element name corresponds to a backplane element receiving the identifier (col. 6:14-17, "Under the present invention, however, the repository expands to include not only previously registered components (i.e. backplane elements) but also unregistered components that are identified in an arbitrarily large database", and col. 6:48-57, "If any matches are found during the database search, one or more of the software components (i.e. backplane elements) identified by the search are selected. (a default blank element identifier is created until) The location of the selected software component is extracted from the database ... Finally, the registry file is updated to include the location of the selected component").

As per claim 10, the rejection of claim 8 is incorporated, and further Sonderegger discloses that the default descendance chain corresponds to a descendance chain

Art Unit: 2122

of the backplane element receiving the identifier (col. 6:14-17, "Under the present invention, however, the repository expands to include not only previously registered components (i.e. backplane elements) but also unregistered components that are identified in an arbitrarily large database", and col. 6:48-57, "If any matches are found during the database search, one or more of the software components (i.e. backplane elements) identified by the search are selected. (a default element identifier and descendance chain is created until) The location of the selected software component is extracted from the database ... Finally, the registry file is updated to include the location of the selected component").

As per claim 11, the rejection of claim 1 is incorporated, and further Sonderegger discloses de-registering selected resources from backplane elements where the selected resources are registered (col. 11:46, "removal of such entries (i.e. backplane elements)").

As per claim 12, the rejection of claim 1 is incorporated, and further Sonderegger discloses that de-registering selected descendant backplane elements from the corresponding parent backplane elements (col. 11:46, "removal of such entries (i.e. backplane elements)").

As per claims 13-18, this is a system version of the claimed method discussed above, in claims 4-7, wherein all claimed limitations have also been addressed and/or

Art Unit: 2122

cited as set forth above. For example, see Sonderegger's method for managing globally distributed software components (col. 6:5-58).

As per claims 19-21, this is another method version of the claimed method discussed above, in claims 6 and 7, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Sonderegger's method for managing globally distributed software components (col. 6:5-58).

As per claims 22-25, this is a system version of the claimed method discussed above, in claims 5-7, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Sonderegger's method for managing globally distributed software components (col. 6:5-58).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571) 272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2122

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ARF



TUAN DAM  
SUPERVISORY PATENT EXAMINER

<b>Notice of References Cited</b>	Application/Control No. 10/033,977	Applicant(s)/Patent Under Reexamination REYNA, DAVID	
	Examiner Andre R. Fowlkes	Art Unit 2122	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,761,499	06-1998	Sonderegger, Kelly Ervin	707/10
	B	US-6,085,030 A	07-2000	Whitehead et al.	709/203
	C	US-5,222,134 A	06-1993	Waite et al.	705/59
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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